

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID A. STEBBINS,

Plaintiff,

v.

JOHN DOE, et al.,

Defendants.

Case No. [24-mc-80179-HSG](#)

**ORDER BARRING FILING OF
COMPLAINT**

Pro se Plaintiff seeks to bring a copyright infringement action YouTube, LLC. Dkt. No. 1. The Court reviews the proposed complaint in its capacity as General Duty Judge as required by a vexatious litigant order entered in August 2023, and directs the Clerk of Court not to accept the complaint for filing.

I. PLAINTIFF'S LITIGATION HISTORY

In the past few years, Plaintiff has filed numerous copyright infringement and/or defamation cases against YouTube or its affiliates. *See Stebbins v. Polano et al.*, No. 4:21-cv-04184-JSW (N.D. Cal. filed June 2, 2021); *Stebbins v. Rebolo et al.*, No. 4:22-cv00546-JSW (N.D. Cal. filed Jan. 27, 2022); *Stebbins v. Google LLC*, No. 3:23-cv-00322-TLT (N.D. Cal. filed Jan. 20, 2023). As the court noted in an August 2023 order finding Plaintiff to be a vexatious litigant, "it appears that the motive for Plaintiff's . . . lawsuits [is] to stop harassment from other users online," but "that is not a proper use of copyright law." *Stebbins v. Google LLC*, 2023 WL 6139454, at *10 (N.D. Cal. Aug. 31, 2023). In that order, the court found that prior to filing (1) any future actions against Google LLC, YouTube LLC, Alphabet Inc., or any of their affiliates, or (2) any claim of copyright infringement or copyright-related claims against any defendant, Plaintiff would be required to first provide a copy of his complaint and the order to the Clerk of


1 this Court, along with a letter requesting the complaint be filed. *Id.* at 11. The court warned
2 Plaintiff warned that any violation of the order would expose him to contempt proceedings and
3 appropriate sanctions, and any action filed in violation of its order would be subject to dismissal.
4 *Id.*

5 **II. DETERMINATION REGARDING COMPLAINT**

6 Plaintiff now seeks to file another lawsuit against YouTube, LLC and one of YouTube's
7 users. *See* Dkt. No. 1 ("Compl.") at 1. His complaint alleges "five counts of copyright
8 infringement, two counts of libel, one count of intentional infliction of emotional distress, and one
9 count of civil conspiracy." *Id.* This case falls squarely within the scope of the prior 2023
10 vexatious litigant order, and repeats the same types of claims that have been repeatedly dismissed
11 in that order and elsewhere. Having reviewed the proposed complaint in its capacity as General
12 Duty Judge as required by the vexatious litigant order, this Court determines that the complaint is
13 frivolous and meritless, and accordingly directs the Clerk of Court not to accept the complaint for
14 filing. The Clerk is directed to close this miscellaneous file without permitting filing of the
15 complaint.

16 **IT IS SO ORDERED.**

17 Dated: 8/14/2024

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19 HAYWOOD S. GILLIAM, JR.
20 United States District Judge
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